

**A CERTIFIED TRUE COPY**U.S. DISTRICT COURT  
EASTERN DISTRICT OF LAJUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 10 2005

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FILED  
CLERK'S OFFICEATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONLORETIA G. WHYTE  
CLERK DR

DOCKET NO. 1657

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX PRODUCTS LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-20)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 832 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

**RECEIVED**

FOR THE PANEL:

AUG 29 2005

Inasmuch as no objection is pending at this time, the stay is lifted.

AUG 10 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONCLERK'S OFFICE  
A TRUE COPYMichael J. Beck  
Clerk of the PanelDeputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

CLERK  
U.S. DISTRICT COURT  
OMAHA

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Doc. No.	351

**SCHEDULE CTO-20 - TAG-ALONG ACTIONS  
DOCKET NO. 1657  
IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
ALABAMA NORTHERN		
ALN 2 05-1265	Willie E. Smith v. Merck & Co., Inc.	05-3822
ALN 2 05-1275	Kathryn Gates, et al. v. Merck & Co., Inc.	05-3823
ALN 2 05-1334	Orrie Q. Johnson, etc. v. Merck & Co., Inc.	05-3824
ARKANSAS EASTERN		
ARE 2 05-133	Elizabeth Kennedy v. Merck & Co., Inc., et al.	05-3825
ARE 2 05-135	Ronald Johnson, et al. v. Merck & Co., Inc., et al.	05-3826
CALIFORNIA CENTRAL		
<del>EAC 2 05-4073</del>	<del>Doris Aaron v. Merck &amp; Co., Inc., et al.</del> Vacated 8/9/05	
CALIFORNIA NORTHERN		
<del>CAN 3 05-2244</del>	<del>Mylene Edsall, et al. v. Merck &amp; Co., Inc.</del> Vacated 8/9/05	
COLORADO		
CO 1 05-1055	Joseph F. Hatala, et al. v. Merck & Co., Inc.	05-3827
CONNECTICUT		
CT 3 05-995	Thomas Gainey, etc. v. Merck & Co., Inc.	05-3828
FLORIDA MIDDLE		
FLM 2 05-285	Donald Allain, et al. v. Merck & Co., Inc.	05-3829
FLM 2 05-292	Barbara Steele v. Merck & Co., Inc.	05-3830
FLM 6 05-847	Linda Gecosky, et al. v. Merck & Co., Inc.	05-3831
FLM 8 05-1096	Bruce A. Bruce, et al. v. Merck & Co., Inc.	05-3832
FLORIDA SOUTHERN		
FLS 0 05-60959	Marjorie Borsum, et al. v. Merck & Co., Inc.	05-3833
FLS 1 05-21529	Kermit Lee, et al. v. Merck & Co., Inc.	05-3834
GEORGIA NORTHERN		
GAN 1 05-1525	Sylvester Storey v. Merck & Co., Inc.	05-3835
GAN 1 05-1607	Tamberlyn Y. Telgen, etc. v. Merck & Co., Inc.	05-3836
ILLINOIS SOUTHERN		
<del>IILS 3 05-450</del>	<del>Stanley Hayes v. Merck &amp; Co., Inc., et al.</del> Opposed 8/9/05	
KENTUCKY WESTERN		
<del>KYW 3 05-351</del>	<del>Lois Hammond, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 8/9/05	
LOUISIANA MIDDLE		
LAM 3 05-846	J.M. Walters, Jr. v. Merck & Co., Inc.	05-3837
LAM 3 05-904	Edward Smith v. Merck & Co., Inc.	05-3838
LOUISIANA WESTERN		
LAW 2 05-1137	Lester Fontenot v. Merck & Co., Inc.	05-3839
LAW 3 05-190	Elizabeth A. Bradley v. Merck & Co., Inc.	05-3840
MASSACHUSETTS		
MA 1 05-11307	Patricia Rafferty v. Merck & Co., Inc.	05-3841
MA 1 05-11308	Celia Houghton, et al. v. Merck & Co., Inc.	05-3842

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<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>	<u>SEC.</u>	<u>L/3</u>
MA	1	05-11309	Dorothy M. Basile v. Merck & Co., Inc.	05-3843		
MA	1	05-11310	Ernest Pleasant v. Merck & Co., Inc.	05-3844		
MARYLAND						
MD	8	05-1662	Paul Williams, etc. v. Merck & Co., Inc.	05-3845		
MINNESOTA						
MN	0	05-1161	Elaine H. Akerstrom v. Merck & Co., Inc.	05-3846		
MN	0	05-1188	Lawrence Junior Lowrie v. Merck & Co., Inc.	05-3847		
MN	0	05-1218	Charles A. Agnew v. Merck & Co., Inc.	05-3848		
MN	0	05-1219	Betty E. Johnson v. Merck & Co., Inc.	05-3849		
MN	0	05-1229	Kenneth K. Bromen v. Merck & Co., Inc.	05-3850		
MISSOURI EASTERN						
MOE	4	05-298	David Braun, et al. v. Merck & Co., Inc., et al.	05-3851		
MOE	4	05-306	Ella Price, et al. v. Merck & Co., Inc., et al.	05-3852		
MISSISSIPPI NORTHERN						
MSN	1	05-145	Perry Wayne Robertson v. Merck & Co., Inc.	05-3853		
NORTH CAROLINA EASTERN						
NCE	5	05-441	David Howard v. Merck & Co., Inc., et al.	05-3854		
NEBRASKA						
NE	7	05-5009	Oliver S. Mason v. Merck & Co., Inc.	05-3855		
NE	8	05-285	Mary M. Kleber v. Merck & Co., Inc.	05-3856		
NEW HAMPSHIRE						
NH	1	05-227	William Miller, et al. v. Merck & Co., Inc.	05-3857		
NEVADA						
NV	3	05-332	Jennie Alfred, et al. v. Merck & Co., Inc., et al.	Opposed 8/9/05		
NEW YORK EASTERN						
NYE	1	05-2952	Frida Goldenberg v. Merck & Co., Inc., et al.	05-3858		
NYE	1	05-2971	Annemarie Tullo, et al. v. Merck & Co., Inc.	05-3859		
NYE	2	05-2833	Marc Salzberg, et al. v. Merck & Co., Inc.	05-3860		
NEW YORK NORTHERN						
NYN	5	05-761	Diane M. Mann, etc. v. Merck & Co., Inc.	05-3861		
NEW YORK SOUTHERN						
NYS	1	04-6106	Olga Dana, et al. v. Merck & Co., Inc.	05-3862		
NYS	1	05-4563	Taiwo Sapara v. Merck & Co., Inc.	05-3863		
NYS	1	05-5516	Matilde Velasquez v. Merck & Co., Inc.	05-3864		
NYS	1	05-5517	Sukhrajie Seeraj v. Merck & Co., Inc., et al.	05-3865		
NYS	1	05-5519	Frank Altomare, et al. v. Merck & Co., Inc., et al.	05-3866		
NYS	1	05-5522	Norma Young v. Merck & Co., Inc., et al.	05-3867		
NYS	1	05-5523	Patricia Garrow v. Merck & Co., Inc., et al.	05-3868		
NYS	1	05-5928	Vasilios Patrakas v. Merck & Co., Inc.	05-3869		
NYS	1	05-5929	Dionysios Patrakas, et al. v. Merck & Co., Inc.	05-3870		
NYS	1	05-5931	Effie Patrakas, et al. v. Merck & Co., Inc.	05-3871		
NYS	1	05-5932	Harry Patrakas v. Merck & Co., Inc.	05-3872		
NYS	1	05-5933	Dimostithinis Patrakas v. Merck & Co., Inc.	05-3873		
NYS	1	05-6007	Nicholaos Drenis v. Merck & Co., Inc.	05-3874		
NYS	1	05-6008	Peter Stagias, et al. v. Merck & Co., Inc.	05-3875		
NYS	1	05-6010	Angelos Psomas v. Merck & Co., Inc.	05-3876		

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NYS 1 05-6011	Michael Mitaras v. Merck & Co., Inc.	05-3877
NYS 1 05-6013	Fotis Miltalios v. Merck & Co., Inc.	05-3878
NYS 1 05-6044	Diamonto Vartsakis v. Merck & Co., Inc.	05-3879
NYS 1 05-6045	Alexandros Garidis v. Merck & Co., Inc.	05-3880
NYS 1 05-6046	Faina Shamis v. Merck & Co., Inc.	05-3881
NYS 1 05-6047	Raisa Yarosh v. Merck & Co., Inc.	05-3882
NYS 1 05-6102	Diana Hauzenberg, et al. v. Merck & Co., Inc.	05-3883
NYS 1 05-6103	Petros Ikonomidis v. Merck & Co., Inc.	05-3884
NYS 1 05-6104	Carlo Dana, et al. v. Merck & Co., Inc.	05-3885
NYS 7 05-5784	Philip Ginsberg, et al. v. Merck & Co., Inc.	05-3886
NEW YORK WESTERN NYW 6 05-6338	Lynn Krieger v. Merck & Co., Inc., et al. Opposed 8/8/05	
OHIO NORTHERN OHN 3 05-7123	Judith U. Williams, et al. v. Merck & Co., Inc.	05-3887
OHN 3 05-7124	Charles J. Hughes v. Merck & Co., Inc.	05-3888
OHN 4 05-791	Christina Raynor v. Merck & Co., Inc.	05-3889
OREGON OR 6 05-6184	Wayne S. Harger v. Merck & Co., Inc., et al. Opposed 8/9/05	
PENNSYLVANIA EASTERN PAE 2 05-2566	James Lipe, et al. v. Merck & Co., Inc.	05-3890
PAE 2 05-2716	Elvira Abundiz, et al. v. Merck & Co., Inc.	05-3891
PAE 2 05-2718	Edward D. Arnold, et al. v. Merck & Co., Inc.	05-3892
PAE 2 05-2719	Betty G. Baker v. Merck & Co., Inc.	05-3893
PAE 2 05-2814	Augustus Bidwell, et al. v. Merck & Co., Inc.	05-3894
PAE 2 05-2815	Helen M. Booth v. Merck & Co., Inc.	05-3895
PAE 2 05-2816	Charles U. Busch, et al. v. Merck & Co., Inc.	05-3896
PAE 2 05-2944	Carol A. Greene, etc. v. Merck & Co., Inc.	05-3897
PAE 2 05-3069	William F. Hess, Jr. v. Merck & Co., Inc.	05-3898
SOUTH CAROLINA SC 7 05-1791	Robert Wilkins, etc. v. Merck & Co., Inc.	05-3899
TENNESSEE WESTERN TNW 1 05-1159	Jerry Foster, et al. v. Merck & Co., Inc., et al.	05-3900
TNW 1 05-1160	Charmian A. Wright, et al. v. Merck & Co., Inc., et al.	05-3901
TNW 1 05-1166	Denny E. West v. Merck & Co., Inc., et al.	05-3902
TEXAS EASTERN TXE 1 05-408	Arnold Kidd v. Merck & Co., Inc., et al.	05-3903
TXE 2 05-218	Chiquita Alexander, et al. v. Merck & Co., Inc.	05-3904
TXE 2 05-221	Beaulah Luper, et al. v. Merck & Co., Inc., et al.	05-3905
TXE 2 05-222	Wayne Venters v. Merck & Co., Inc., et al.	05-3906
TXE 2 05-223	Kevin F. Smith, et al. v. Merck & Co., Inc., et al.	05-3907
TXE 2 05-224	Dawn Shelton v. Merck & Co., Inc., et al.	05-3908
TXE 2 05-225	Dorothy M. Shreves v. Merck & Co., Inc., et al.	05-3909
TXE 2 05-226	Sheila Seitz, et al. v. Merck & Co., Inc., et al.	05-3910
TXE 2 05-227	David Sacco, et al. v. Merck & Co., Inc., et al.	05-3911
TXE 2 05-228	Bill R. Owens, et al. v. Merck & Co., Inc., et al.	05-3912
TXE 2 05-229	Daniel D. Otstott, etc. v. Merck & Co., Inc., et al.	05-3913
TXE 2 05-230	Patsy J. Moses, etc. v. Merck & Co., Inc., et al.	05-3914
TXE 2 05-231	Chad Morphew v. Merck & Co., Inc., et al.	05-3915
TXE 2 05-232	Patricia A. McQuatters, et al. v. Merck & Co., Inc., et al.	05-3916
TXE 2 05-234	Birdie Williams, etc. v. Merck & Co., Inc., et al.	05-3917

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TXE 2 05-236	Charles E. Gentry, et al. v. Merck & Co., Inc., et al.	05-3919
TXE 2 05-237	Ronald D. Coffman, et al. v. Merck & Co., Inc., et al.	05-3920
TXE 2 05-238	Sandra P. Brown, et al. v. Merck & Co., Inc., et al.	05-3921
TXE 2 05-239	Carolyn A. Brannon, et al. v. Merck & Co., Inc., et al.	05-3922
TXE 2 05-240	Marcelline Bowe v. Merck & Co., Inc., et al.	05-3923
TXE 2 05-241	Ken Katzenmaier, et al. v. Merck & Co., Inc., et al.	05-3924
TXE 2 05-242	Barbara J. Kenyon, et al. v. Merck & Co., Inc., et al.	05-3925
TXE 2 05-243	Diana J. Kenney v. Merck & Co., Inc., et al.	05-3926
TXE 2 05-244	Beverly S. Carroll, et al. v. Merck & Co., Inc., et al.	05-3927
TXE 2 05-245	James R. Johnson, et al. v. Merck & Co., Inc., et al.	05-3928
TXE 2 05-272	Dorothy J. Debri, et al. v. Merck & Co., Inc., et al.	05-3929
TXE 2 05-274	Liza Lacour v. Merck & Co., Inc., et al.	05-3930
TXE 2 05-275	Anthony Henry, et al. v. Merck & Co., Inc., et al.	05-3931
TXE 2 05-276	Renee Mouton-Taylor, et al. v. Merck & Co., Inc., et al.	05-3932
TEXAS SOUTHERN		
TXS 4 05-2028	Kimberly Linzer-Cole v. Merck & Co., Inc.	05-3933
TXS 6 05-72	Genevive Jordan, et al. v. Merck & Co., Inc.	05-3934
TEXAS WESTERN		
TXW 1 05-445	Gregory Bilton, etc. v. Merck & Co., Inc.	05-3935
TXW 1 05-446	Robert Jackson, et al. v. Merck & Co., Inc.	05-3936
TXW 1 05-447	William Douglas Simpson, et al. v. Merck & Co., Inc.	05-3937
TXW 1 05-448	Robert Meyer, etc. v. Merck & Co., Inc.	05-3938
TXW 1 05-478	Jimmy R. Scarborough, Sr., et al. v. Merck & Co., Inc.	05-3939
WASHINGTON EASTERN		
WAE 2 05-184	David Barnes, et al. v. Merck & Co., Inc.	05-3940
WAE 2 05-186	Elsa Mazac, et al. v. Merck & Co., Inc.	05-3941
WAE 2 05-187	John Michler, et al. v. Merck & Co., Inc.	05-3942
WASHINGTON WESTERN		
WAW 3 05-5398	Daria L. Marvin-McPherson, et al. v. Merck & Co., Inc.	05-3943

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